

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION**

**JOANNE MCMANUS TRIM,** )  
                                  )  
**Plaintiff,**                 )  
                                  )  
**v.**                            )                           **CIVIL NO. 2:13CV13**  
                                  )  
**CAROLYN W. COLVIN,**      )  
**Acting Commissioner of Social Security,** )  
                                  )  
**Defendant.**                 )

**O R D E R**

**THIS MATTER** is before the Court on Plaintiff's Motion for Fees Under the Equal Access to Justice Act filed on January 6, 2014. (Dkt. No. 17). By Response filed on January 9, 2014, the Defendant advises that she does not oppose an award of legal fees in the amount of \$3,829.01 provided that this is the only petition filed by Plaintiff in this case under 28 U.S.C. § 2412(d). The Defendant also agrees to pay the legal fees directly to Plaintiff's counsel so long as Plaintiff does not owe the Government a debt at the time that the EAJA fees are awarded.

**NOW THEREFORE, IT IS ORDERED:**

1. Plaintiff's Motion For Fees Pursuant to the Equal Access to Justice Act (Dkt. No. 17) is GRANTED, to the extent that Plaintiff's counsel shall be paid the sum of \$3,829.01 for attorney fees, so long as Plaintiff does not owe a debt to the Government at the time the fees are awarded.
2. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.
3. The Clerk is directed to serve copies of this Order on counsel for the parties.

**SO ORDERED.**

Signed: January 8, 2014

D S Cayer

David S. Cayer  
United States Magistrate Judge

